
Public Utilities Commission of the State of California

Wesley M. Franklin, Executive Director

Headquarters

505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-2782

Southern California Office

320 West 4th Street, Suite 500
Los Angeles, CA 90013
(213) 576-7000

Website: <http://www.cpuc.ca.gov>

Calendar Archive: http://www.cpuc.ca.gov/daily_calendar_archive/

Daily Calendar

Monday, November 18, 2002

- Regular Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/
Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Final Oral Argument
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. Please see the *Notice to People With Disabilities* section on page two of this Daily Calendar for further information.

REGULAR COMMISSION BUSINESS MEETINGS

| | | |
|-------------------|-------|---------------|
| November 21, 2002 | 10 am | San Francisco |
| December 5, 2002 | 10 am | San Francisco |
| December 19, 2002 | 10 am | San Francisco |

COMMISSION RATESETTING DELIBERATIVE MEETINGS

(Not Open to the Public)

Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.

| | | |
|-------------------|---------|---------------|
| November 18, 2002 | 1:30 pm | San Francisco |
| December 2, 2002 | 1:30 pm | San Francisco |
| December 16, 2002 | 1:30 pm | San Francisco |

NOTICE TO PEOPLE WITH DISABILITIES

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

- e-mail: public.advisor@cpuc.ca.gov
toll-free: 1-866-849-8390
Voice: 415-703-2074
FAX: 415-355-5404 (Attn.: Public Advisor)
TTY: 1-866-836-7825 (toll-free)
1-415-703-5282

NOTICES

Delivery of Formal Pleadings for Filing

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4th Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents sent through the mail for formal filing should be addressed ONLY to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

Charge for Commission Documents

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

Commission Resources Available for Rental

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

SUBSCRIPTION INFORMATION

Subscription Notice for Draft Agenda Items

In compliance with Public Utilities Code Section 311.5, parties who wish to subscribe to receive draft agenda items may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The cost for a one-year subscription to the entire public agenda package (which excludes Executive Session materials) is \$1,000. You may also order a partial agenda package (energy agenda items only or telecommunication agenda items only) at the cost of \$500 per year. The package you receive via mail will include only those agenda items available at the time of the agenda distribution date, which is usually 10 to 12 days prior to the Commission meeting. If agenda items (including revisions) are not ready on the distribution date, they will be made available at no charge in the lobby outside the Commission Auditorium at 9:00 a.m. on the morning of the Commission meeting, but not earlier.

In addition, the Commission will make draft agenda items available for viewing and photocopying (at 20 cents per page) at the Commission's Central Files Office (Room 2002), 505 Van Ness Avenue, San Francisco, and in the Los Angeles, San Diego, and Sacramento field offices. Since the agenda package will be mailed to these locations, it will be available at these locations a day or two after the distribution date. These locations will not receive agenda items that are not ready on the distribution date.

If an agenda item is held over to a subsequent Commission meeting, that agenda item and any revisions to that agenda item that were available on the morning of the initial Commission meeting (as well as any further available revisions) will be mailed in the Escutia package for the subsequent Commission meeting; the item and its revisions will also be available for viewing and photocopying in the Commission's Central Files Office and field offices as set forth above.

Intervenors who have a financial hardship determination pending or granted shall be eligible to receive draft agenda item packets at no charge.

The cost to receive the agenda only, without copies of draft agenda items, remains at \$75 per year.

Subscription Notice for Daily Calendar and/or Agenda

Parties who wish to subscribe to the Daily Calendar and/or the Agenda may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van

Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The subscription cost for the Daily Calendar is \$225 per year. The Biweekly Daily Calendar is \$50 per year. The Agenda is \$75 per year. Checks are to be made payable to the Public Utilities Commission.

COMMISSIONER OFFICE HOURS

NONE

PUBLIC MEETING & WORKSHOPS

Public Meeting Notice – Deaf and Disabled Telecommunications Program

Deaf and Disabled
Telecommunications Program
Administrative Committee
(DDTPAC)

November 18, 2002

10 am – 4 pm

DDTP Offices, in the Conference Room
505 14th Street, Suite 400
Oakland

The Administrative Committee of the Deaf and Disabled Telecommunications Program will hold a meeting to address the following:

PUBLIC MEETING AGENDA:

I. Discussion of and Development of Comments on, Resolution T-16703 [Zein]. The committee will discuss Draft Resolution T-16703 and will develop comments on the Draft Resolution. II. Public Input. [Members of the public will provide input to the committee.]

Meeting Information:

For more information, please contact Katy Franco, DDTP Committee Coordinator at (510) 302-1100 x110 voice or (510) 302-1118 TTY.

Environmental Notice:

People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

Public Meeting Notice – Deaf and Disabled Telecommunications Program

Deaf and Disabled
Telecommunications Program
Administrative Committee
(DDTPAC)

November 19, 2002

10 am – 4 pm

DDTP Offices, in the Conference Room
505 14th Street, Suite 400
Oakland

PUBLIC MEETING AGENDA:

I. Discussion of and Development of Comments on, Resolution T-16703 [Zein]. The committee will discuss Draft Resolution T-16703 and will develop comments on the Draft Resolution. II. Public Input. [Members of the public will provide input to the committee.]

Meeting Information:

For more information, please contact Katy Franco, DDTP Committee Coordinator at (510) 302-1100 x110 voice or (510) 302-1118 TTY.

Environmental Notice:

People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

**NOTICE OF DRAFT RESOLUTIONS
(Pursuant to PU Code § 311(g))**

Pursuant to Public Utilities Code § 399.8, directs Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company, to collect monies from customers to fund investments in energy efficiency, renewable energy and research development, and demonstration projects.

A draft resolution of the Energy Division as Public Utilities (PU) Code § 399.8 requires the three major California investor owned electric utilities to assess a Public Goods Charge (PGC) to customers in order to fund certain public interest programs. It specifies that, starting January 1, 2002, \$425.5 million be provided to these programs each year until January 1, 2012. However, § 399.8 does not specify how much of this annual total is to be allocated among the utilities except for the Energy Efficiency (EE) programs. Opening comments are due on November 4, 2002 and reply comments are due on November 12, 2002. Both opening and reply comments are limited to five pages. Copies of the resolution can be obtained by contacting:

Jack Fulcher
Electric Industry & Finance Branch
California Public Utilities Commission
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102
Telephone: (415) 703-1711

Draft Resolution M-4807 will be placed on the Commission Meeting Agenda of November 21, 2002. This resolution adopts level of utilities reimbursement account fees for fiscal year 2002-03.

Interested parties may obtain a copy of Resolution M-4807 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

James Wuehler
Water Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
jrw@cpuc.ca.gov

Public necessity requires that the 30-day comment period of Public Utilities Code Section 311(g) be reduced so that the Commission may collect the revenues as set forth in this resolution as soon as possible. The Commission concludes that a reduction in the 30-day review period by 2 days will not compromise the public interest or any party's rights.

Accordingly we reduce the comment period for this resolution from 30 days to 28 days. Parties who wish to file comments on this resolution may do so no later than November 10, 2002.

Draft Resolution M-4805 will be placed on the Commission Meeting Agenda of November 21, 2002. This resolution adopts level of Transportation Rate Fund fees for fiscal year 2002-03.

Interested parties may obtain a copy of Resolution M-4805 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

James Wuehler
Water Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
jrw@cpuc.ca.gov

Public necessity requires that the 30-day comment period of Public Utilities Code Section 311(g) be reduced so that the Commission may collect the revenues as set forth in this resolution as soon as possible. The Commission concludes that a reduction in the 30-day review period by 7 days will not compromise the public interest or any party's rights. Accordingly we reduce the comment period for this resolution from 30 days to 23 days. Parties who wish to file comments on this resolution may do so no later than November 10, 2002.

Draft Resolution M-4806 will be placed on the Commission Meeting Agenda of November 21, 2002. This resolution adopts level of Transportation Reimbursement Account fees for fiscal year 2002-03.

Interested parties may obtain a copy of Resolution M-4806 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

James Wuehler
Water Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
jrw@cpuc.ca.gov

Public necessity requires that the 30-day comment period of Public Utilities Code Section 311(g) be reduced so that the Commission may collect the revenues as set forth in this resolution as soon as possible. The Commission concludes that a reduction in the 30-day review period by 7 days will not compromise the public interest or any party's rights. Accordingly we reduce the comment period for this resolution from 30 days to 23 days. Parties who wish to file comments on this resolution may do so no later than November 10, 2002.

Draft Resolution Affirming Denial of Public Records Act Requests of John E. Rosenbaum on Behalf of Mirant Americas Energy Marketing, LP, et al., and of Jose Guzman on Behalf of Duke Energy Corporation.

A draft resolution (L-302) by the Legal Division denying the Public Records Act requests of John E. Rosenbaum, Esq., of White & Case on behalf of his client, Mirant Americas Energy Marketing, LP, *et al*, and by Jose E. Guzman, Jr., Esq., of Nossaman, Guthner, Knox & Elliot on behalf of his client, Duke Energy Corporation, regarding the Commission staff's inspections of Mirant and Duke facilities, will be on the December 5, 2002 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote until later. When the Commission votes on L-302, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare a different resolution.

The draft resolution will be circulated to the parties submitting the Public Records Act requests that are the subject of the draft resolution, pursuant to Public Utilities Code Section 311(g) and Rule 77.7 of the Commission's Rules of Practice and Procedure. Interested parties may obtain a copy of L-302 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

Laurence G. Chaset
Legal Division
California Public Utilities Commission
505 Van Ness Avenue, Room 5131
San Francisco, CA 94102
Telephone: (415) 355-5595
lau@cpuc.ca.gov

An original and 2 copies of comments must be received by the Legal Division no later than November 25, 2001. Comments shall focus on factual, legal or technical error in the draft resolution. Late filed comments will ordinarily be rejected. However, in extraordinary circumstances, a request for leave to submit comments late, together with the proposed comments, may be filed. An accompanying declaration under penalty of perjury shall also be submitted setting forth all the reasons for the late submission.

Draft Resolution G-3334 sponsored by Commissioner Brown on implementation of D.01-12-018. It will be placed on the Commission Meeting Agenda of December 5, 2002. This resolution establishes a schedule for implementation of that decision, orders workshops to resolve issues in the unbundling of intrastate transmission and storage, and orders SoCalGas to file supplemental advice letters on transmission and storage upon completion of the workshop. Interested parties may obtain a copy of Resolution G-3334 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments an original and two copies of the comments, with a certificate of service, should be submitted to:

Jerry Royer
Energy Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Belinda Gatti
Advisor to Commissioner Brown
505 Van Ness Avenue, Room 5306
San Francisco, CA 94102
e-mail: beg@cpuc.ca.gov

Joyce Alfton
Energy Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
e-mail: alf@cpuc.ca.gov

Public necessity requires that the 30-day comment period of Public Utilities Code Section 311(g) be reduced so that the Commission may collect the revenues as set forth in this resolution as soon as possible. The Commission concludes that a reduction in the 30-day review period by 2 days will not compromise the public interest or any party's rights. Accordingly we reduce the comment period for this resolution from 30 days to 28 days. Parties who wish to file comments on this resolution may do so no later than November 19, 2002.

NEW FILINGS

NONE

PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

| | | |
|----------|------------|--|
| 11/15/02 | R02-01-011 | Order Instituting Rulemaking regarding the implementation of the suspension of direct access pursuant to Assembly Bill 1X and Decision 01-09-060; Application for Rehearing of Decision 02-11-022 by Federal Executive Agencies |
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**DRAFT DECISIONS * PROPOSED DECISIONS * ALTERNATES * PRESIDING
OFFICER'S DECISION * ARBITRATOR'S REPORTS**

| | | |
|----------|-------------|--|
| 11/15/02 | C.00-01-001 | Air-Way Gins, Inc., et al., Complainants, vs. Pacific Gas and Electric Company, Defendant; Presiding Officer's Decision |
|----------|-------------|--|

This decision concludes that cotton ginning does not result in a "change of form" of harvested or "seed" cotton within the meaning of the eligibility statement for PG&E's agricultural tariffs. No change of form occurs because ginning results in the separation of the cotton fiber from the cottonseed, but neither the fiber nor the seed is severed, crushed, cut into, or otherwise irremediably damaged by ginning. As a result of this determination, the complainant cotton ginners are entitled to a refund for the relevant period of the difference between what they were billed for their ginning activities under PG&E's commercial tariffs and what they should have been billed for this work under the lower agricultural tariffs. For each complainant, the refund period extends back to the Fall of 1996; *i.e.*, three years before the ginners first requested refunds from PG&E.

11/15/02 A.02-01-036 In the Matter of the Joint Application of California-American Water Company (U-210-W), a California corporation, RWE Aktiengesellschaft, a corporation organized under the laws of the Federal Republic of Germany, Thames Water Aqua Holdings GmbH, a corporation organized under the laws of the Federal Republic of Germany, Thames Water Plc, a corporation organized under the laws of the United Kingdom and Wales, and Apollo Acquisition Company, a Delaware Corporation, for an order Authorizing Apollo Acquisition Company to merge with and into American Water Works Company, Inc. resulting in a change of control of California-American Water Company, and for such related relief as may be necessary to effectuate such transaction;

Proposed Decision of ALJ Econome

11/15/02 A00-11-038 Application of Southern California Edison Company (U 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs; and
 A00-11-056 Emergency Application of Pacific Gas and Electric Company to Adopt a Rate Stabilization Plan. (U 39 E); and

A00-10-028 Petition of THE UTILITY REFORM NETWORK for
Modification of Resolution E-3527; **Proposed**
Decision of ALJ Allen

ADVICE LETTER FILINGS

To inquire about a filing, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

To protest a filing, mail the original letter/telegram to the Chief of the appropriate division (i.e., "Chief, [Energy, Telecommunications or Water] Division"), to be received no later than 20 days after the date the Advice Letter was filed.

"Effective TBD" means that the date is to be determined by further Commission action. A date listed as "anticipated effective" may be subject to change. An Advice Letter Supplement is not a new filing, and there is no protest period unless indicated.

| | | |
|----------|----------------|--|
| 11/04/02 | Telecom 139 | COX CALIFORNIA TELCOM II, LLC., Rate increase (effective TBD) |
| 11/07/02 | Telecom 23355 | PACIFIC BELL, Amendment No.5 with Navigator Telecommunications, LLC (effective TBD) |
| 11/08/02 | Telecom 23356 | PACIFIC BELL, Amendement #2 with Sage Telecom, Inc. (effective TBD) |
| 11/08/02 | Telecom 23357 | PACIFIC BELL, Amendment #1 with Metrocall, Inc. (effective TBD) |
| 11/14/02 | Energy 2301E | PACIFIC GAS & ELECTRIC COMPANY, Submission of Notice of Construction, Pursuant to General Order 131-D, for the Construction of the Lammers Substation in the County of San Joaquin. (anticipated effective 12/24/02) |
| 11/14/02 | Energy 1405E-A | SAN DIEGO GAS & ELECTRIC COMPANY, Supplements A.L.No.1405E, Urgent request to return \$168 million overcollected in the transition cost balancing account (anticipated effective 08/01/02) |
| 11/14/02 | Energy 1447E | SAN DIEGO GAS & ELECTRIC COMPANY, Implementation of Department of Water Resources bond charge (anticipated effective 11/15/02) |
| 11/14/02 | Energy 1663E | SOUTHERN CALIFORNIA EDISON COMPANY, Revision to Rule 21, Generating Facility Interconnections, |

| | | |
|----------|---------------|--|
| | | to make minor text changes which extends the sunset date for establishing permanent metering requirements (anticipated effective 12/24/02) |
| 11/14/02 | Telecom 23373 | PACIFIC BELL, Removal of Access Advantage Auto Renewal and Bonus. (effective TBD) |
| 11/14/02 | Telecom 10276 | VERIZON CALIFORNIA, INC., Clarify the language in tariff schedule D&R, Rule No. 5, Establishment and Reestablishment of Credit. (effective TBD) |
| 11/14/02 | Telecom 10277 | VERIZON CALIFORNIA, INC., Boundary Realignment - Oxnard & El Rio (effective TBD) |
| 11/15/02 | Energy 3 | SHELL CALIFORNIA PIPELINE COMPANY LLC, Increase in tariff rates to offset increased expenses, in particular fuel and power (anticipated effective 01/01/03) |

ADVICE LETTER SUSPENSIONS (Pursuant to M-4801, 04/19/01)

To inquire about a suspension, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

NONE

ADVICE LETTER PROTESTS

To inquire about a protest, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028). To obtain a copy of the protest, please direct your request to the protestor.

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| 11/13/02 | Telecom 139 | COX CALIFORNIA TELCOM II, LLC., Rate increase Protest by Bruce Weller. |
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MISCELLANEOUS TRANSPORTATION ITEMS**Filings with Consumer Protection and Safety Division**

NONE

MISCELLANEOUS TELECOMMUNICATION MATTERS

NONE

TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS

| | | |
|----------|-------------|---|
| 11/4/02 | A.02-03-016 | Galvin - Application of Southern California Edison Company (U 338-E) for Approval of Fuel Hedging Cost recovery. |
| 11/7/02 | C.02-03-011 | Grau - Pac-West Telecomm, Inc., Complainant, vs. Pacific Bell Telephone Company, Defendant. |
| 11/8/02 | A.98-07-003 | Barnett - Application of Pacific Gas and Electric Company for Verification, Consolidation, and Approval of Costs and Revenues in the Transition Revenue Account. |
| 11/13/02 | A.02-03-032 | McVicar - In the Matter of the Application of California Water Service Company (U 60 W), a Corporation, for an Order Establishing a Moratorium on New Service Connections in Excess of 250 Service Connections in the Coast Springs Water System Division of the Redwood Valley District. |
| 11/18/02 | I.01-08-029 | Econome - Order Instituting Investigation Into Southern California Edison Company's Electric Line Construction, Operation and Maintenance Practices, Respondent. |
| 11/18/02 | I.02-02-005 | Grau - Investigation on the Commission's own motion into the operations, practices and conduct of Starving Students, Inc. (Cal T-116,476), and Ethan Margalith, Respondents. |

ADJOURNMENTS * RESETTINGS * HEARINGS CONCLUDED

- | | |
|-------------|--|
| A.02-05-004 | Wetzell - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and |
| I.02-06-002 | Wetzell - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company, Evidentiary Hearing held and continued to November 18 |
| I.02-04-027 | McVicar - Order Instituting Investigation into the Operations and Practices of Verizon (formerly GTE California Incorporated) with respect to its Individual Case Basis Contracts, Prehearing Conference held and concluded |

REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

| | | |
|---------------------------------------|---------------------------|--|
| 12/12/02 ALJ Econome Comr Duque | 10:00 a.m. A.02-01-036 | (FOA) - In the Matter of the Joint Application of California-American Water Company (U-210-W), a California corporation, RWE Aktiengesellschaft, a corporation organized under the laws of the Federal Republic of Germany, Thames Water Aqua Holdings GmbH, a corporation organized under the laws of the Federal Republic of Germany, Thames Water Plc, a corporation organized under the laws of the United Kingdom and Wales, and Apollo Acquisition Company, a Delaware Corporation, for an order Authorizing Apollo Acquisition Company to merge with and into American Water Works Company, Inc. resulting in a change of control of California-American Water Company, and for such related relief as may be necessary to effectuate such transaction, Commission Auditorium, San Francisco |
|---------------------------------------|---------------------------|--|

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|------------|-------------|--|
| 1/13/03 | 7:00 p.m. | (PPH) - In the Matter of the Application of the |
| ALJ Evans | A.02-01-004 | KERMAN TELEPHONE CO. (U 10122 C) to |
| Comr Duque | | Restructure Intrastate Rates and Charges for |
| | | Telephone Services Furnished Within the State of |
| | | California, |
| | | Kerman Community Center |
| | | 15100 W. Kearney Blvd. |
| | | Kerman, CA |

LAW AND MOTION

Law and Motion Hearings are held before **Administrative Law Judge Sarah R. Thomas** at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

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|----------|------------|----------------|
| 11/25/02 | 10:00 a.m. | NONE SCHEDULED |
| 12/2/02 | 10:00 a.m. | NONE SCHEDULED |
| 12/9/02 | 10:00 a.m. | NONE SCHEDULED |

FINAL ORAL ARGUMENTS (FOA)

| | | |
|------------|-------------|--|
| 12/12/02 | 10:00 a.m. | (FOA) - In the Matter of the Joint Application of |
| ALJ | A.02-01-036 | California-American Water Company (U-210-W), a |
| Econome | | California corporation, RWE Aktiengesellschaft, a |
| Comr Duque | | corporation organized under the laws of the Federal |
| | | Republic of Germany, Thames Water Aqua Holdings |
| | | GmbH, a corporation organized under the laws of the |
| | | Federal Republic of Germany, Thames Water Plc, a |
| | | corporation organized under the laws of the United |
| | | Kingdom and Wales, and Apollo Acquisition |
| | | Company, a Delaware Corporation, for an order |
| | | Authorizing Apollo Acquisition Company to merge |
| | | with and into American Water Works Company, Inc. |
| | | resulting in a change of control of California-American |
| | | Water Company, and for such related relief as may be |
| | | necessary to effectuate such transaction, |
| | | Commission Auditorium, San Francisco |

HEARINGS

Dates in parentheses following the word “also” are subject to change without notice. The assigned Commissioner’s name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

(PHC) = Prehearing Conference

(EH) = Evidentiary Hearing

(PPH) = Public Participation Hearing

(IAM) = Initial Arbitration Meeting

(M) = Mediation

(ECP) = Expedited Complaint Procedure

(OSC) = Order to Show Cause

(WS) = Workshop

(FPH) = Full Panel Hearing

(AH) = Arbitration Hearing

(CA) = Closing Argument

(LM) = Law & Motion

(OA) = Oral Argument

| | | |
|-------------|-------------|---|
| 11/18/02 | 9:00 a.m. | (EH) - Application of Southern California Edison |
| ALJ Wetzell | A.02-05-004 | Company (U 338-E) For Authority to, Among Other |
| Comr Wood | | Things, Increase Its Authorized Revenues For |
| | | Electric Service in 2003, And to Reflect That |
| | | Increase in Rates, and |

| | |
|-------------|---|
| I.02-06-002 | (EH) - Investigation on the Commission’s Own |
| | Motion into the Rates, Operations, Practices, Service |
| | and Facilities of Southern California Edison |
| | Company, |
| | Commission Courtroom, San Francisco |
| | (also November 19 – 22; November 25 – 27; |
| | December 2 – 6; December 9 – 13; |
| | December 16 – 20; December 23 – 24, 26 – 27; |
| | December 30 – 31, January 2 – 3; |
| | January 6 – 10; January 13 – 17; |
| | and January 21 – 24) |

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|---|---------------------------|--|
| 11/18/02 ALJ Rosenthal Comr Duque | 10:00 a.m. A.02-08-006 | (PPH and PHC) – Application of Union Pacific Railroad Company for an Order Declaring and Adjudicating the Legal Status of the Cal Poly Crossing at Milepost 246.9 in the City of San Luis Obispo and County of San Luis Obispo, State of California, the Necessity for Keeping the Crossing Open, and the Need For Safety Improvements and Apportionment Of Costs, Church of Jesus Christ Latter-day Saints 651 Foothill Blvd San Luis Obispo, CA |
| 11/18/02 ALJ Carew Comr Peevey | 10:00 a.m. R.02-06-001 | (WS – Working Group 3) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Auditorium, San Francisco |
| 11/19/02 ALJ Bemdesderfer Comr Peevey | 10:00 a.m. A.02-07-050 | (PHC) - In the Matter of the Application of SBC Pacific Bell Telephone Company (U 1001 C), a corporation, for Authority to Categorize Local DA Service as a Category III Service, Commission Courtroom, San Francisco |
| 11/19/02 ALJ Walker Comr Brown | 10:00 a.m. C.02-07-008 | (PHC) – Teltrex Management Corporation, Complainant, vs. Pacific Bell, Defendant, Commission Courtroom, San Francisco |
| 11/19/02 ALJ Carew Comr Peevey | 10:00 a.m. R.02-06-001 | (WS – Working Group 2) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Courtroom, San Francisco |
| 11/20/02 ALJ McVicar Comr Wood | 1:30 p.m. A.02-09-030 | (PHC) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Sacramento District to increase revenues by \$8,198,700 in the year 2003; and \$1,955,000 in the year 2004, and |
| | A.02-09-031 | (PHC) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Larkfield District to increase revenues by \$512,800 in the year 2003; and \$96,900 in the year 2004, and |

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| | A.02-09-032 | (PHC) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Felton District to increase revenues by \$410,200 in the year 2003; \$101,200 in 2004; and \$31,000 in the year 2005, and |
| | A.02-09-033 | (PHC) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Montara District to increase revenues by \$234,200 in the year 2003; \$38,200 in 2004; and \$45,000 in the year 2005, Commission Courtroom, San Francisco |
| 11/20/02 ALJ Jones Comr Brown | 2:00 p.m. and 7:00 p.m. C.02-06-010 | (PPH) - County of Nevada, Complainant, vs. SBC Pacific Bell, Defendant, Penn Valley Fire Station 10513 Spenceville Road Penn Valley, CA |
| 11/21/02 ALJ Jones Comr Brown | 10:00 a.m. C.02-06-010 | (EH) - County of Nevada, Complainant, vs. SBC Pacific Bell, Defendant, Penn Valley Fire Station 10513 Spenceville Road Penn Valley, CA |
| 11/22/02 ALJ Barnett | 1:00 p.m. C.02-10-002 | (ECP) – Howard Kavoussi, complainant, vs. Southern California Edison Company, defendant, Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA |
| 11/22/02 ALJ Barnett | 1:30 p.m. C.02-08-031 | (ECP) – Herbert B. and Maunaloa T. Avery vs. Southern California Gas Company, Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA |

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| 11/26/02 ALJ Carew Comr Peevey | 10:00 a.m. R.02-06-001 | (WS – Working Group 3) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Energy Resources, Conservation and Development Commission (CEC) Building Hearing Room A 1516 9th Street Sacramento, CA |
| 11/26/02 ALJ Grau Comr Peevey | 1:30 p.m. C.02-09-045 | (PHC) - Mpower Communications Corp., Complainant, vs. Pacific Bell Telephone Company, Defendant, Commission Courtroom, San Francisco |
| 12/3/02 ALJ Duda Comr Wood | 9:00 a.m. A.01-02-024 | (WS) - Joint Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Switching in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and |
| | A.01-02-035 | (WS) – Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Loops in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and |
| | A.02-02-031 | (WS) – Application of The Telephone Connection Local Services, LLC (U 5522 C) for the Commission to Reexamine the Recurring Costs and Prices of the DS-3 Entrance Facility Without Equipment in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and |
| | A.02-02-032 | (WS) – Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Interoffice Transmission Facilities and Signaling Networks and Call-Related Databases in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and |

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| | A.02-02-034 | (WS) – Application of Pacific Bell Telephone Company (U 1001 C) for the Commission to Reexamine the Costs and Prices of the Expanded Interconnection Service Cross-Connect Network Element in the Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and |
| | A.02-03-002 | (WS) – Application of XO California, Inc. (U 5553 C) for the Commission to Reexamine the Recurring Costs of DS1 and DS3 Unbundled Network Element Loops in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, Commission Courtroom, San Francisco (also December 4 - 5 at Hiram Johnson State Building, 455 Golden Gate Avenue, San Francisco) |
| 12/3/02 ALJ Walker Comr Peevey | 10:00 a.m. A.02-05-033 | (EH) - In the matter of the Application of Suburban Water Systems (U 339-W) for authority to increase rates: In 2003 \$9,919,002, or 27.2% above the revenues generated by present rates, in 2004 \$1,447,692 or 3.1% above the revenues generated by the rates proposed for 2003, in 2005 \$1,597,008 or 3.3% above the 2004 revenue requirements, Commission Courtroom, State Office Building 320 West 4th Street, Suite 500 Los Angeles, CA (also December 4 - 6) |
| 12/3/02 ALJ Vieth Comr Peevey | 10:00 a.m. C.02-09-035 | (TELEPHONIC PHC) - Industry Entertainment, Complainant, vs. SBC Pacific Bell, Defendant, Commission Courtroom, San Francisco |
| 12/3/02 ALJ Carew Comr Peevey | 10:00 a.m. R.02-06-001 | (WS – Working Group 2) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Courtroom, San Francisco |
| 12/3/02 ALJ Patrick | 1:00 p.m. C.02-10-026 | (ECP) – Jerome T. Pasto, Complainant, vs. Pacific Bell, Defendant, Employment Development Department 722 Capitol Mall, Room 4079 Sacramento, CA |

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| 12/4/02 ALJ Carew Comr Peevey | 2:00 p.m. R.02-06-001 | (WS – Working Group 1) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Auditorium, San Francisco |
| 12/9/02 ALJ Maloney Comr Duque | 9:00 a.m. C.02-05-035 | (EH) - Breuer, Inc., Complainant, vs. Del Oro Water Company, Inc., Defendant, Commission Courtroom, San Francisco (also December 10 and December 12) |
| 12/10/02 ALJ Carew Comr Peevey | 10:00 a.m. R.02-06-001 | (WS – Working Group 2) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Courtroom, San Francisco |
| 12/12/02 ALJ Simon Comr Peevey | 10:00 a.m. A.02-05-065 | (EH) - In the Matter of the Application of the CITY OF RICHMOND for an order preserving the wigwag warning devices at the Richmond Avenue Crossing in the City of Richmond, Contra Costa County, California, Commission Courtroom, San Francisco (also December 13) |
| 12/17/02 ALJ Walker Comr Brown | 1:30 p.m. C.02-07-044 | (PHC) - The Utility Consumers' Action Network (UCAN), Complainant, vs. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants, Commission Courtroom, San Francisco |
| 12/18/02 ALJ Ryerson Comr Peevey | 9:30 a.m. I.97-07-018 | (EH) - Investigation on the Commission's Own Motion Into the Operations, Practices, Rates and Charges of Hillview Water Company, Inc., a corporation, and Roger L. Forrester, the principal shareholder and president, Respondents, Oakhurst Community Center 39800 Road 425B Oakhurst, CA (also December 19) |
| 12/18/02 ALJ Patrick | 1:00 p.m. C.02-10-043 | (ECP) - John A. Davis, Complainant, vs. AT&T Communications of California, Inc., Defendant, Stockton State Office Building 31 East Channel Street, Room A10 Stockton, CA |

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| 12/20/02 ALJ Barnett | 12:00 Noon C.02-10-041 | (ECP) - Tangiers Motel, c/o Rajubhai Patel, Complainant, vs. Pacific Bell, Defendant, Commission Courtroom, State Office Building 320 West 4th Street, Suite 500 Los Angeles, CA |
| 1/8/03 ALJ Patrick | 1:00 p.m. C.02-10-044 | (ECP) - Tex Ritter, Complainant, vs. Pacific Bell, Defendant, Petaluma Area Chamber of Commerce Conference Room 800 Baywood Drive, Suite B Petaluma, CA |
| 1/13/03 ALJ Evans Comr Duque | 7:00 p.m. A.02-01-004 | (PPH) - In the Matter of the Application of the KERMAN TELEPHONE CO. (U 10122 C) to Restructure Intrastate Rates and Charges for Telephone Services Furnished Within the State of California, Kerman Community Center 15100 W. Kearney Blvd. Kerman, CA |
| 1/14/03 ALJ Econome Comr Duque | 9:00 a.m. A.02-07-025 | (EH) - Application of Bakman Water Company (U 219 W) for Authority to: (1) Remove the Proceeds of Water Contamination Lawsuits From Contributions- In-Aid-of Construction, (2) Increase Rate Base, and (3) Recover Increased Revenue Requirements in Rates, Commission Courtroom, San Francisco (also January 15) |
| 1/15/03 ALJ Sullivan Comr Brown | 10:00 a.m. A.02-05-034 | (EH) – Application of Gary Wayne Shurtliff to Obtain a Household Goods Carrier Permit Pursuant to the Household Goods Carrier Act, contained in Division 2, Chapter 7 of the California Public Utilities Code (sections 5101 et. Seq.), Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA |

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| 1/16/03 ALJ Rosenthal Comr Peevey | 10:00 a.m. A.02-02-018 | (EH) - Application of THE BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY for an order closing Avenue 13, CPUC Crossing No. 2- 1016.3, D.O.T. No. 028-603-E, at its intersection with Applicant's main track Madera County, California, Commission Courtroom, San Francisco (also January 17) |
| 1/17/03 ALJ Evans Comr Duque | 10:00 a.m. A.02-01-004 | (PHC) - In the Matter of the Application of the KERNAN TELEPHONE CO. (U 10122 C) to Restructure Intrastate Rates and Charges for Telephone Services Furnished Within the State of California, Commission Courtroom, San Francisco |
| 1/17/03 ALJ Simon Comr Peevey | 11:00 a.m. C.02-07-038 | (EH) – Daniel A. Stock, Complainant, vs. Southern California Edison Company, Defendant, Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA |
| 1/27/03 ALJ Bushey Comr Brown | 10:00 a.m. A.01-09-012 | (EH) - In the Matter of the Application of the City of San Diego for an order authorizing modification of an existing at-grade crossing on three light rail vehicle tracks and one heavy rail track of the Metropolitan Transit Development Board, and one heavy rail track of the Burlington Northern and Santa Fe Railway Company, at Park Boulevard, in the City of San Diego, San Diego County, California, Commission Courtroom, San Francisco (also January 28 – 31) |
| 1/28/03 ALJ Simon Comr Wood | 10:00 a.m. C.02-07-020 | (EH) - City Of Delano, Complainant, vs. Union Pacific Railroad Company, Defendant, The Delano City Hall Council Chambers 1015 11th Avenue Delano, CA (also January 29 – 31) |

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| 2/13/03 ALJ DeBerry Comr Peevey | 10:00 a.m. A.02-04-001 | (EH) - In the Matter of the Application of Southern California Water Company for a Certificate of Public Convenience and Necessity Pursuant to Public Utilities Code Section 1001 to Construct an 8.4 MW Natural Gas-Fueled Generator Facility in its Bear Valley Electric Service Division, Commission Courtroom, San Francisco (also February 14) |
| 2/18/03 ALJ Evans Comr Duque | 10:00 a.m. A.02-01-004 | (EH) - In the Matter of the Application of the KERMAN TELEPHONE CO. (U 10122 C) to Restructure Intrastate Rates and Charges for Telephone Services Furnished Within the State of California, Commission Courtroom, San Francisco (also February 19 – 21 and February 24 – 28) |
| 2/25/03 ALJ Barnett Comr Lynch | 10:00 a.m. A.01-06-041 | (EH) - In the Matter of the Application of SIERRA PACIFIC POWER COMPANY (U-903-E) for an Order Authorizing an Immediate Interim Rate Increase, Subject to Refund, and for Consideration of a Rate Stabilization Plan, Commission Courtroom, San Francisco (also February 26 – 28) |
| 3/3/03 ALJ Duda Comr Wood | 10:00 a.m. A.01-02-024 | (EH) - Joint Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Switching in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and |
| | A.01-02-035 | (EH) - Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Loops in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and |
| | A.02-02-031 | (EH) - Application of The Telephone Connection Local Services, LLC (U 5522 C) for the Commission to Reexamine the Recurring Costs and Prices of the DS-3 Entrance Facility Without Equipment in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and |

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| A.02-02-032 | (EH) - Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Interoffice Transmission Facilities and Signaling Networks and Call-Related Databases in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and |
| A.02-02-034 | (EH) - Application of Pacific Bell Telephone Company (U 1001 C) for the Commission to Reexamine the Costs and Prices of the Expanded Interconnection Service Cross-Connect Network Element in the Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and |
| A.02-03-002 | (EH) - Application of XO California, Inc. (U 5553 C) for the Commission to Reexamine the Recurring Costs of DS1 and DS3 Unbundled Network Element Loops in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, Commission Courtroom, San Francisco (also March 4 - 7) |
| 3/10/03 ALJ Wong Comr Lynch | 10:00 a.m. A.01-10-011 (EH) - Application of Pacific Gas and Electric Company Proposing a Market Structure and Rules for the Northern California Natural Gas Industry for the Period Beginning January 1, 2003 as Required by Commission Decision 01-09-016. (U 39 G), Commission Courtroom, San Francisco (also March 11 - 14 and March 17 - 19 if needed at 9:00 a.m.) |

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| 3/17/03 | 9:00 a.m. | (EH) - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers, Commission Courtroom, San Francisco (also March 18 – 21 and March 24 - 27) |
| ALJ Vieth | I.02-06-003 | |
| Comr Wood | | |
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| 3/24/03 | 10:00 a.m. | (EH) - Order Instituting Rulemaking on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated, and |
| ALJ Kenney | R.01-09-001 | |
| Comr Lynch | | |
| | I.01-09-002 | (EH) - Order Instituting Investigation on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated, Commission Courtroom, San Francisco (also March 25 – 28, April 1 – 4, and April 7 – 8 at 9:00 a.m.) |

NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. **Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.***

NONE

NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))

NONE

NOTICE OF EX PARTE COMMUNICATIONS

Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

10/29/02 A01-03-036 San Diego Gas & Electric Company, for a Certificate of Public Convenience and Necessity for the Valley-Rainbow 500 KV Interconnect Project

Summary: On October 25, 2002, Osa Armi, an attorney for Save Southwest Riverside County, spoke on the telephone with Steven Weissman, advisor to Cmmr. Wood. Armi described the strong local opposition to the Valley-Rainbow Interconnect Project (Project) and indicated that although some transmission projects might be justified on economic grounds because they provide benefits to the ratepayers by improving power markets, the Project is not such a project. Armi described the various conservative assumptions inherent in the reliability criteria applied in this case and the costly nature of the proposed Project.

Filer: Save Southwest Riverside County

Contact: Osa Armi

Phone: (415) 552-7272

Summary: On October 25, 2002, Osa Armi, an attorney for Save Southwest Riverside County, spoke on the telephone with Lynne McGhee, advisor to Cmmr. Duque. Armi described the strong local opposition to the Valley-Rainbow Interconnect Project.

Filer: Save Southwest Riverside County

Contact: Osa Armi

Phone: (415) 552-7272

11/1/02 R02-01-011 Order Instituting Rulemaking regarding the implementation of the suspension of direct access pursuant to Assembly Bill 1X and Decision 01-09-060

Summary: On October 29, 2002, Keith McCrea representing the California Manufacturers & Technology Association (CMTA) met with Lynne McGhee, advisor to Cmmr. Duque, and Kevin Coughlan, advisor to Cmmr. Peevey, in two separate meetings in San Francisco. Also present was Thomas Beach for CMTA. McCrea and Beach stated the need for further evaluation and updating of the data underlying the exit fee calculations and suggested that the Commission adopt the overall exit fee methodology and an interim CRS cap pending resolution of data concerns.

Filer: California Manufacturers & Technology Association

Contact: Jody Smith

Phone: (202) 383-0113

Summary: On October 29, 2002, Keith McCrea representing the California Manufacturers & Technology Association (CMTA) met with David Gamson, advisor to Cmmr. Brown, in an all-party meeting in San Francisco. Also present were Kevin Coughlan, advisor to Cmmr. Peevey, Belinda Gatti and Peter Hanson, advisors to Cmmr. Brown, Lynne McGhee, advisor to Cmmr. Duque, Steven Weissman and Manuel Ramirez, advisors to Cmmr. Wood, and Thomas Beach for CMTA. McCrea and Beach discussed the differences between the Navigant and Henwood models and presentations concerning the effect of a CRS cap on the recovery of various costs.

Filer: California Manufacturers & Technology Association

Contact: Jody Smith

Phone: (202) 383-0113

11/4/02 R02-01-011 Order Instituting Rulemaking regarding the implementation of the suspension of direct access pursuant to Assembly Bill 1X and Decision 01-09-060

Summary: On October 29, 2002, William Booth, counsel for the California Large Energy Consumers Association (CLECA), attended an all-party meeting convened by David Gamson, advisor to Cmmr. Brown, in San Francisco. Also present were Kevin Coughlan, advisor to Cmmr. Peevey, Lynne McGhee, advisor to Cmmr. Duque, Steven Weissman and Manuel Ramirez, advisors to Cmmr. Wood, Peter Hanson and Belinda Gatti, advisors to Cmmr. Brown, and Dr. Barbara Barkovich and Catherine Yap, consultants to CLECA. Written materials (attached to the notice) were used. Booth, Barkovich and Yap distributed tables that display the effect of various cap levels and interest rates on the level of undercollection and the timing of full recovery of all identified exit fees. Barkovich and Booth cautioned against excessive reliance on the estimates set forth on the tables given that the figures are driven by a variety of assumptions and variables that have not yet been determined by the Commission. Yap explained the methodology she used to develop the tables.

Filer: California Large Energy Consumers Association

Contact: Christie Booth

Phone: (925) 296-2463

Email: cbooth@booth-law.com

11/5/02 R02-01-011 Order Instituting Rulemaking regarding the implementation of the suspension of direct access pursuant to Assembly Bill 1X and Decision 01-09-060

Summary: On October 31, 2002, Keith McCrea representing the California Manufacturers & Technology Association (CMTA) initiated a telephone conversation with David Gamson, advisor to Cmmr. Brown. McCrea stated the need for further evaluation and updating of the data underlying the exit fee calculations. McCrea suggested that the Commission adopt the overall exit fee methodology and an interim CRS cap pending resolution of data concerns. McCrea also advocated the use of a 2.7 cent cap for Pacific Gas and Electric Company and Southern California Edison Company and possibly a higher cap, if needed, for San Diego Gas & Electric Company.

Filer: California Manufacturers & Technology Association

Contact: Jody Smith

Phone: (202) 383-0113

Summary: LATE FILED. On October 29, 2002, Martin Collette, Manager of Pricing and Tariffs at Southern California Edison Company (SCE), participated in an all-party meeting convened by David Gamson, advisor to Cmmr. Brown, in San Francisco. Also present were Kevin Coughlan, advisor to Cmmr. Peevey, Steve Roscow, Energy Division, Michael R. Hoover, Director of Regulatory Policy and Affairs, and Bruce Foster, Vice President of Regulatory Operations, for SCE, and representatives of numerous parties to the Direct Access (DA) exit fee proceeding. Written materials (attached to the notice) were used. SCE representatives discussed the models used in calculating a DA Cost Responsibility Surcharge.

Filer: Southern California Edison Company

Contact: Henry Romero

Phone: (626) 302-2304

email: henry.romero@sce.com

Summary: On October 31, 2002, Bill Reed, Senior Vice President Regulatory Affairs of Sempra Energy Utilities (SEU), met with Laura Krannawitter, advisor to Cmmr. Duque, in San Francisco. Also present were Lynne McGhee, advisor to Cmmr. Duque, and Lee Schavrien, Vice President, and Leslie Katz, Regional Vice President, Regulatory Affairs, for SEU. Schavrien stated that San Diego Gas & Electric Company (SDG&E) proposed a levelized, hybrid statewide/utility-specific exit fee, that would preserve bundled customer indifference, eliminate regional disparities that could kill direct access, and total 2.7 cents/kWh when combined with the bond charge and CTC rate. Schavrien suggested that if the Commission were to adopt the hybrid exit fee without levelization, the exit fee would equal 2.7 cents/kWh in the first year. Schavrien stated that although the proposed and alternate decisions prioritize collection of bond and CTC charges below exit fee, these charges are non-bypassable. Schavrien also noted that SDG&E does not have headroom to cover these charges. Reed pointed out Commission precedent for a hybrid approach. Schavrien stated that using a utility-specific exit fee, SDG&E cannot collect its existing unbundled CTC rate under any of the proposed caps and that this distinction is unique to SDG&E as the only utility to have an unbundled CTC rate.

Filer: Sempra Energy Utilities

Contact: Renee Le Camus

Phone: (415) 202-9986

email: rlecamus@sempra.com

Summary: On October 31, 2002, Lee Schavrien, Vice President of Sempra Energy Utilities (SEU), left a telephone message for David Gamson, advisor to Cmmr. Brown. Schavrien stated that San Diego Gas & Electric Company (SDG&E) is only able to make a rough calculation at the present time, but it appears that there would be a very significant reduction in the undercollection borne by SDG&E bundled customers if Department of Water Resources costs are calculated on a statewide basis and utility-retained generation costs are utility-specific.

Filer: Sempra Energy Utilities

Contact: Renee Le Camus

Phone: (415) 202-9986

email: rlecamus@sempra.com

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| 11/5/02 | I00-11-002 | Order instituting investigation on the Commission's own motion into the adequacy of the Southern California Gas Company's and San Diego Gas & Electric Company's (SDG&E) gas transmission systems to serve the present and future gas requirements of the SDG&E's core and noncore customers |
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Summary: On October 31, 2002, Brian Cragg, representing Cabrillo I, LLC and Cabrillo II, LLC (collectively, Cabrillo), had a telephone conversation with Julie Fitch, advisor to Cmmr. Peevey. Cragg noted that the proposed decision (PD) would require gas transportation customers of San Diego Gas & Electric Company (SDG&E) desiring firm service to make firm commitments for transportation capacity, even though they have no current ability to secure matching commitments on the upstream system of Southern California Gas Company, due to the delay in the implementation of the Comprehensive Settlement Agreement. Cragg stated that many customers, line Cabrillo would also be reluctant to enter into firm commitments unless a system of tradable rights was established. Cragg stated that these two aspects of the PD put electric generators whose need for transportation service depends on highly variable demand for electricity, in an untenable situation. Cragg also suggested that the decision should provide more clarity about how interruptible rates would be established, and urged that interruptible rates should be negotiated between SDG&E and parties desiring interruptible service.

Filer: Cabrillo I, LLC and Cabrillo II, LLC

Contact: Melinda LaJaunie

Phone: (415) 392-7900

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| 11/5/02 | A01-09-024 | Southern California Gas Company (U 904-G), for Authority to Revise its Rates Effective January 1, 2003 in its Biennial Cost Allocation Proceeding |
| | A01-10-005 | San Diego Gas & Electric Company (U 902-G), for Authority to Revise its Gas Rates Effective January 1, 2003, in its Biennial Cost Allocation Proceeding |

Summary: On October 31, 2002, Brian Cragg, representing Electric Generator Alliance, had a telephone conversation with Julie Fitch, advisor to Cmmr. Peevey and, on the same day, sent Julie Fitch by e-mail comments (attached to the notice). Cragg noted that item CA-13 on the Commission's agenda for its meeting of November 7, 2002 was opposed by several parties. Cragg stated that the proposed decision (PD) would eliminate Southern California Gas Company's (SoCalGas) risk related to noncore throughput revenues beginning in 2003. Cragg noted that the PD would adjust only one component of rates, while leaving all other components untouched. Cragg suggested that the result of granting SoCalGas' request would be noncore rates that have no internal consistency.

Filer: Electric Generator Alliance

Contact: Melinda LaJaunie

Phone: (415) 392-7900
